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## Address

### To the People of the State of Ohio.

The undersigned, appointed by the convention a committee to "prepare and publish an address to the people of Ohio, on the important principles involved in the next presidential election, and the election of Governor for this State," cannot better perform the duties assigned them, than by calling your attention to the causes of division between the two parties which have existed in our country since the Revolutionary war, and the consequences which may be expected to flow from the complete and permanent ascendancy of the democratic party.

Until the American Revolution, a government founded upon the neutral equality of mankind had not been known. Some approaches towards it in Europe, both in ancient and modern times, were not very uncommon, but as far as history reaches, the other part of the world never had any conception of that great truth, first proclaimed by the American Declaration of Independence, "that all men are created equal;" but so interwoven with all the habits and usages of mankind, was the belief that societies of men were incapable of self government, and that kings and privileged orders were necessary for the preservation of order and the security of society from anarchy, that it is not to be considered strange, that many native Americans in that day of trial shrunk from the bold attempt of their countrymen to throw off the dominion of the British Parliament, and remained at home or in exile, true and faithful in their allegiance to a foreign dominion. These Tories of the Revolution, at the return of peace, restored & elevated to an equal participation in all the blessings of that freedom, which had been won by the valor of our fathers, formed the nucleus around which rallied all those who affected to believe or who from pride & ignorance did really believe that the most important business of statesmen was to save mankind from "their worst enemies themselves." It was from this combination of the Tory elements of the Revolution, with vanity and ignorance of human nature, that federalism was born with the establishment of the new Constitution; and although public liberty was established and the most democratic principles of government were recognized, yet there commenced with the government under the new constitution, a war of opinion which bids fair to outlast the present generation. It is a war between aristocracy (under whatever name it may appear, Toryism, federalism or modern whiggism) and democracy—it is a constant and often successful effort upon one side to substitute something other than the will of the people for the rule of government, and on the other side to give full force and effect at all times to that will. Thus, the aristocracy defeated in their attempts to establish a government with monarchical powers and forms—defeated in their endeavors to make the constitution sanction the granting of monopolies by congress—unable to succeed in obtaining power by direct grant, take it by implication, and in this way make the constitution mean a grant of powers not only beyond its letter and spirit, but often times directly contrary to both.

It was thus, that the federalists (as they then called themselves) with Alexander Hamilton at their head, achieved the first great victory over the principles of democracy—the first most important exercise of power not granted by the constitution but decidedly refused by the convention that formed that instrument, by establishing the Bank of the United States. It was thus, that by a sedition law, they bridged the freedom of speech and of the press; and it is thus, that by means of a Supreme Court of the United States, formed upon principles of dependent of, and therefore hostile to the popular sovereignty, they have given expositions of the constitution and established legal dogmas which are utterly subversive of the fundamental principles of our government. It would exceed the limits of this address to advert to all these encroachments upon the letter and spirit of the constitution and the reserved rights of the people, by a tribunal holding their offices for life, and composed for the most part of men who from their habits of thinking and associations, are the most unfit to compose the highest judicial tribunal in a State where the people claim to hold and exercise the sovereign power; one only, from its present superior importance requires your attention.

Previous to the formation of the federal constitution and for many years, after, the absolute power of the people by their Legislatures, to repeal all laws which experience proved to be detrimental to the public welfare, was not doubted, and grants of corporate powers were modified and taken away without question; thus, the Commonwealth of Pennsylvania, repealed the charter granted by their Legislature to the Bank of North America. The great scarcity of money (occasioned by over-trading) after the Revolution, induced some of the State Legislatures to pass laws interfering with and impairing the obligation of private contracts, by suspending the payment of debts beyond the time stipulated by the contracting parties, and also by making various articles of property a lawful tender; to pro-

vent which evils in future as well as to restrain the issues of paper money, the first article of the tenth section of the federal Constitution was framed, and it became the law of the land that no State should pass any "law impairing the obligation of contracts." No doubt existed at the time as to the meaning of the clause, "it was the inviolability of private contracts and private rights secured under them, which was intended to be protected," and not legislative grants of corporate powers; as to which, even the late Chief Justice Marshall says, "It is more than possible, that the preservation of rights of this description was not particularly in the view of the framers of the constitution, when the clause under consideration was introduced into that instrument." But notwithstanding the men who framed and those who adopted the constitution did not intend the clause in question to apply to Legislative grants the Supreme Court of the United States have assumed the power of extending it to them; and it is now so settled that no State Legislature has the power to repeal the charter of a Bank or Insurance Company, or any other grant of power, except such grant be for some public purpose, as to a city or town. This law of the Supreme Court of the United States does not prevent State Legislatures from annulling many species of contracts, such as the contract of marriage; but it seems specially guarded in its terms to protect monopolies. It operates only to prohibit the State Legislature from correcting the evils of hasty and improvident Legislation, from reaching grants which benefit the few at the expense of the many.

Under this law of the Federal Court if the first Legislature in this State had chartered a company and given them the exclusive power and right of raising what forever, they would be protected in the enjoyment of that vested right by the judicial tribunals, so if the present General Assembly were to charter a banking company with the exclusive privilege of banking in this State forever, with an unlimited amount of capital and with power to establish branches all over the State, the state would be given up after the expiration of the present bank charter to the absolute dominion of such company forever, for no future Legislature might revoke such enormous grant. This law of the Supreme Court protects all monopolies. So that if the enemies of freedom can by direct or indirect means induce the Legislative power of the States to continue granting charters as liberally as many of them have done hitherto, the Supreme power of the State instead of remaining in the whole people of the State according to the theory of our government, will be parcelled out amongst and granted away to various private corporations, not one of which will have any other object or aim but to accumulate power and wealth to itself in utter disregard of the interest and welfare of the community. How far we have already progressed towards this state of things must be obvious to those who have attended to the course of Legislation, and how much further we shall go on in this course is for the people to determine. It is also for the people to say whether the Judicial Legislation we have noticed shall continue to govern and control the Legislatures, or whether they will correct and reform it; for reform in our government must proceed from the people, and can only take place when they will it.

We have mentioned the first great victory of the aristocracy in establishing a Bank of the U. States, and we have adverted to the usurping Legislation of a Court, which from its organization is aristocratic—we need not follow the history of the federal party and its favorite tribunal to the present time, it is sufficient that you know their whole career to have been marked by unceasing hostility to the vital principles of our government a constant effort to break down and prostrate the maxims of equality the sovereignty of the people, and establish in their stead the absolute sovereignty of an irresponsible tribunal. But the conduct of this party within a few years, with great and almost entire unanimity advocating the re charter of the United States Bank as essential to the existence of the republic, and assailing with slanders most vile and malignant, that Chief to whom we owe our deliverance from this monster of Legislative corruption; that Chief who has inscribed his name on the everlasting roll his country's fame and glory; merely for doubting the propriety of prolonging its existence and calling the attention of Congress, and the people to its unconstitutional, and dangerous powers; their conduct in supporting with approbation and applause the open and acknowledged stipendiaries of the Bank, who wielded a majority in the United States Senate labored to bring ruin on the mercantile community. Their acknowledging those Senators as their guides and leaders, although the most influential amongst them were bankrupts in fortune as well as morals; leaders who were daily pro-

truding themselves during the memorable panic session, and bringing the Senate itself into disgrace by the invention and utterance of innumerable falsehoods to alarm the people and compel Congress to grant a re charter to that institution which to them was truly a mother bank. If the present party were known to us by this history only, it would be sufficient to demonstrate their deadly hostility to a system of equal rights and their utter unfitness to wield the powers of government in a free commonwealth. It should satisfy us, that although many individuals of that party are honorable and virtuous men in private life, their prejudices and habits of thinking unfit them to bear rule to a state of society and government where the power is in the whole people. Hence the necessity of carefully watching this party in all its various changes of name, that further inroads upon the Constitution may be prevented, and that no more federal dogmas may be established to control the people and jeopardize public liberty; and this watchfulness is the more necessary as that party have got possession of all the Banks, Insurance Companies, Trust Companies, &c. &c. throughout the Union, and make use of them as far as they can to further their political views. Besides most of the Judges of the U. States and State Courts are devoted to the views and aims of that party, and in this State they have contrived to get their friends into most of the Executive and Judicial offices. Such a mass of political power wielded by the minority, exhibits a state of things greatly needing reform, for the theory of our government, the equality and sovereignty of the people, cannot be carried out into successful practice by those who neither from principle or want of it, are hostile both to that theory and the practical application of it.

The friends of freedom throughout the world look to North America for an example and guide in the prosperous career of human improvement. As our country has been the first to throw off the shackles of ancient prejudice and proclaim the civil equality of mankind, it should be the first in proving with how little government communities may be prosperous and happy. It should exhibit the sublime spectacle of millions of men governing themselves in peace and order without intervention of any power but the power of reason and common sense. The principles of the democratic party, if carried out into full and successful practice, may be expected to produce such a state of society. But to accomplish this, government must be so administered as to promote the welfare and happiness of the whole community. Legislators depart from those principles whenever their Legislation is for the benefit of a few or any portion of the people less than the whole society; as when they authorize chartered companies to receive more for the loan of money or credit than is allowed to the people generally—when they authorize private companies or individuals to levy a tax on the people for the use of a substitute for the constitutional currency—when they grant exemptions to companies from the payment of their debt beyond a certain amount of their capital stock—when they exempt the property of part of the citizens from taxation, giving them all the benefits without the common burdens of government, and in every case when the object and end of the law is to give power and privileges to one set or class of men to the exclusion of the other members of the Commonwealth; such laws are a departure from democratic principles. Wealth is power and the rich by means of their wealth possess more power than the poor and needy. This is not to be complained of because it results from the nature of man, in as much as there cannot but be great difference in the capacities of men to accumulate and save property but to the power of wealth, a government administered for the good of the whole people will not add as always has hitherto been done, by the power of partial Legislation, and until there is a thorough reform in this particular, government cannot but slowly approximate to sound and just principles.

Our government has been truly called an experiment, and it was not reasonable to expect that it should be free from errors in its commencement. But after so many years experience, when the errors and imperfections incident to a new system and new forms have become manifest, we ought either to abandon the experiment as a hopeless project or institute a thorough reformation of all abuses and lop off all useless excrescences. If an antagonistic principles exist together in our system which will eventually corrupt and destroy it unless removed; as the admitted truth that we are a people in whom rests the sovereign power at all times, with the fact, that a most important part of the officers of government, the Judiciary, hold their offices for life, independent of the people; then let the proper remedy be promptly applied, let the tenure of office and mode of appointment be so changed as to bring those officers under the immediate control of the people whose servants they are.

We are no advocates for a mere party government; holding as we do, that the people are the source of all legitimate power, we maintain that government is instituted for their benefit and that its

sole end and aim should be to promote the happiness of the whole, and it may not be altogether out of place to say that we do not believe it to be necessary at the present day for the American people to mix up in their institutions any monarchical or aristocratic features, for the experiment of self-government so far as it has been tried in our country has not failed, but notwithstanding all the difficulties it has encountered it has succeeded far beyond what the patriots of the Revolution dared hope. Let us not fear then for the safety of the Republic or doubt for an instant that liberty and equal rights have on our soil an everlasting home. But though we should not fear for the future we must not be unmindful of the past or heedless of the present, for the past in our own history will show us how with noiseless and steady steps the enemies of free principles are undermining the very foundations of the government by substituting the whims, caprice, or sophistry of four or five irresponsible functionaries for the will of the people.

Our Constitutions assert that all power is in the people and that they can at any time change their governments, and of course that they can establish any other form or adopt other principles, monarchical or aristocratic, as they may choose. All this is well enough in theory, but the law of our country as settled by the Supreme Court of the U. States (in one of the cases before adverted to) that notwithstanding the sword of our fathers cut off the jurisdiction of Great Britain over these States, yet that a charter granted before the Revolution by the British King to some of his subjects in America, vested rights in the grantees which the government established after the Revolution had no right to alter or take away that in deed no power or earth could affect such vested rights. If the British statesmen could have foreseen that Americans would submit to be governed by such laws instead of sending armies and fleets here to subdue rebellious colonies, would have sent charters of incorporation, and have vested in private companies all the most important powers of government so as to render the Revolution nugatory and unavailing. The power to change a government at pleasure may thus be considered useless, may be converted into mockery, if chartered rights, if all manner of monopolies are to enjoy perennial youth and vigor while governments are dissolving into their primitive elements and empires are changing their fundamental laws. But has the present generation power to bind posterity in any way or form? We have the power to govern ourselves in what manner we please or to submit to be governed as others please to govern us. We may make our Constitutions and laws more democratic and have all our officers elected by the people annually, or we may place the whole power of the State in the hands of one or a few men. We may also parcel out all the powers of government and make such powers vested rights in chartered companies, but can we compel posterity to submit their necks to such a yoke? If we cannot so bind them, if those who come after us are as free and as competent to govern themselves as we are to govern ourselves, then we cannot delegate the power over them either to Legislatures or chartered companies. It is said that we may rightly fully borrow money, and leave its payment to posterity, provided we leave them, in the expenditure of the money, sufficient to indemnify them. Without admitting or denying this position, it may be assumed that we have no power to bind those who come on to the stage of action as our successors, in any other case. Who then are our successors? and who, in a political view of the subject, are our posterity? We conceive that this question admits of but one answer—those who come to the polls at the next annual election, come there as the successors in exercising the powers of government to those who came to the polls at the last annual election; and their power of self government is as full and complete as was the power of their predecessors. They are in truth the sovereign power in the State; and, in the exercise of that sovereignty, no grant of powers can be made which shall be perpetual and irrevocable; but they must depend for their continuance, at all times, upon the will of that sovereign.

God has not given to man the power of foreseeing future events. Laws may be passed granting corporate powers, which may appear to sagacious statesmen as full of promise of advantage to the whole community; and they may be mistaken. The chartered powers may be powers of mischief and destruction, and they may be used to subvert the government and enslave the people; and is there no remedy? This is not so extreme a case as some may imagine—Suppose the United States Bank, instead of being chartered for twenty years, had a perpetual charter, a charter pronounced by the Supreme Court of the United States as constitutional, and supported by the authority of that tribunal; it would soon have wielded more than the Senatorial power in the government, and have required more than the President's denunciation to get rid of it. It would have arrayed armies in defence, instead of bankrupt Senators and prostitute editors, and public liberty might have been cloven down in some disastrous field. Were the Legislature to exercise the power of repealing all laws which on trial might prove injurious to society, there would be no danger except to those monopolists whose power to do injury would be taken away by such repeal; for it is not to be presumed that any Legislature would disregard the public welfare so far as to repeal a law which had been found by experience beneficial to the whole community, and no other laws ought to be passed or will be passed by wise legislators. Beside if private interest should be affected by the repeal of a law; if private property, whether in chartered companies or not, should be taken for the benefit of the State, the parties owing such interest would be entitled to a just compensation, which neither public opinion nor the Constitution would permit to be withdrawn from them.

But some affect to be afraid to trust the people and their legislative bodies, lest they should violate or refuse to execute contracts authorized by them for important public works, lest they should disregard the public interest and public faith. Let such men consider that the State is already indebted about five millions of dollars for money borrowed to construct her canals, and that the creditors of the State have no other security for their money than the disposition of the people of the State to pay them. Should the people of the State refuse or neglect to pay the interest or the principal when it falls due by contract, there is no power on earth which can coerce the payment, and yet such is the regard of all men to the principles of justice and the obligations of good faith, that any man would be considered insane who should propose to withhold such payment.

There is in truth no danger to society in the exercise of the power to repeal, for it will be used only in cases where the public interest and the public voice require such repeal, and under such limitations as will secure private property to its owner. It is a power essential to the maintenance of that sovereignty of the people which is the acknowledged basis of our institutions and their security—a power without which they may be made tributaries and servants to a few monopolists but cannot be a free and independent State.

We support the candidates nominated by the Baltimore Convention, because we believe that the election of Mr. Van Buren and Col. Johnson will confirm and establish the democratic principles we advocate. We oppose all the candidates of the federal party, because the practice of that party and what they call their principles; seem so entirely hostile to the nature of our government; and to have a direct tendency to prostrate freedom and equality of rights in our country. It cannot be necessary to urge to the people of Ohio the necessity of supporting this nomination, since two numerous Conventions, one sitting before the Baltimore Convention and one recently, have unanimously recommended Mr. Van Buren as the candidate of Ohio for the Presidency; and since both him and Col. Johnson have long been known to the nation as able and tried advocates and supporters of democratic principles, as well as men in whose patriotism and fitness the nation may repose in confidence.

The names of a number of our most distinguished citizens were before the Convention as candidates for the office of Governor; probably no one was mentioned for the office who was not well qualified and well deserving the honor of a nomination. The Convention took time until the second day of its session to consider the subject, and then after two ballottings, unanimously agreed to recommend to you Eli Baldwin, of Trumbull county, as your next candidate for Governor. Judge Baldwin came from Connecticut, (his native State) to Trumbull county, in the year 1801, and from that day to this, he has been known amongst us as one of the most uniform and unwavering in the support of

democratic principles and measures, he has not been much in office, although he has been several times a member of the General Assembly and Judge of the Court of Common Pleas in Trumbull county. In every station he has occupied, he has shown himself fully competent to discharge its duties; where he has been known, the people have confided in his integrity and ability. Such is the man recommended by the Convention as your candidate for Governor, a plain farmer, who if elected, will discharge the duties of that office with satisfaction to you and honor to himself.

Benjamin Tappan, Nicholas Hathway, William Price, George Sharp, William B. Vanhook, Jonathan Taylor, John E. Hunt, Walter M. Blake, Carter B. Harlan, Wm. McLaughlin, William Robbins, E. W. Hubbard, Isaac Humphreys, Edward R. De Wolf, John Hough, Benjamin Stickburn, Elijah Haysard, Harman Bidder, William Medill, Robert Patterson, Committee of Publication.

## WASHINGTON'S ADVICE TO A YOUNG LADY.

The subjoined letter is taken from the last published volume (10th recently issued) of Spark's Life and correspondence of Washington. It was written to Miss Harriet Washington, his orphan niece, who had resided for some time in his family, and to whom he continued to extend his care and aid. She then resided with some of her other relatives in Fredericksburg. It is dated Philadelphia, 30th Oct 1791.

Dear Harriet: I received your letter of the 21st instant, and shall always be glad to hear from you. When my business will permit inclination will not be wanting in me to acknowledge the receipt of your letters; and this I shall do the more cheerfully, as it will afford me opportunity at those times, of giving you such occasional advice, as your situation may require.

At present I could plead a better excuse for curtailing my letter to you, than you had for shortening yours to me, having a multitude of occupations before me, while you have nothing to do; consequently you might with as much convenience to yourself have sat down to write your letter an hour or two or even a day sooner, as have delayed it off till your cousin was on the point of sending to the Post Office. I make this remark for no other reason, than to show it is better to offer no excuse than a bad one, if at any time you should happen to fall into an error.

Occupied as my time now is and must be during the sitting of Congress, I nevertheless will endeavor to calculate upon your mind the delicacy and danger of that period to which you are now arrived under peculiar circumstances. You are just entering into the state of womanhood without the watchful eye of a mother to admonish, or the protecting aid of a father or to advise and defend you; you may not be sensible, that you are at this moment about to be stamped with that character, which will adhere to you through life; the consequences of which you have not perhaps attended to, but be assured it is of the utmost importance that you should. Your cousins, with whom you live, are well qualified to give you advice; and I am sure they will if you are disposed to receive it. But if you are disobedient, self-willed and untowardly, it is hardly to be expected that they will engage themselves in unpleasant disputes with you, especially Fanny, whose mild and placid temper will not permit her to exceed the limits of wholesome admonition or gentle rebuke.

Think then, to what dangers a giddy girl of fifteen or sixteen must be exposed in circumstances like these. To be under little or no control may be pleasing to a mind that does not reflect, but this pleasure cannot be of long duration, and season, too late perhaps may convince you of the folly of mispending time. You are not to learn, I am certain, that your fortune is small. Supply the want of it, then with a well cultivated mind, with dispositions to industry and frugality, with gentleness of manners, and obliging temper, and such qualifications as will attract notice and recommend you to a happy establishment for life.

You might, instead of associating with those from whom you can derive nothing that is good, but may have observed every thing that is deceitful, lying and bad, become the intimate companion of, and aid to your cousin in the domestic concerns of the family. Many girls, before they have arrived at your age, have been found so trustworthy as to take the whole charge of the family from their mothers; but it is a steady and rigid attention to the rules of propriety, that such confidence is obtained and nothing would give me more pleasure than to hear that you had acquired it. The merits and benefits of it would redound more to your advantage in your progress through life, and to the person with whom you may in due time form a matrimonial connexion, than any other; but to none would such circumstance afford more real satisfaction, than to your affectionate uncle,

Geo. Washington.